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February 16, 2005

Michael K. Powell, Chairman  
Federal Communications Commission  
445 12th Street, S.W.  
Room TW-B204  
Washington, DC 20554

**Re: Federal-State Joint Board on Universal Service  
CC Docket No. 96-45**

Dear Chairman Powell:

On behalf of U.S. Cellular Corp. ("USCC"), I write to provide the Commission with information that we believe is relevant with respect to the designation of new competitive eligible telecommunications carriers ("CETCs") in rural areas across the country. We ask that you include this letter in your consideration of new rules for designating CETCs in the above-captioned docket.

USCC is an independent wireless carrier that operates in 26 states. Our service area is largely rural and as such, our business plan is geared toward gaining rural consumers and providing superior service to them everywhere they live, work and play. Our customer service record is second to none. Industry data consistently reveal that consumers churn off our system at or near the lowest rate in the industry. The reason for this is simple: our business plan focuses on making customers happy, which we do by offering the products and services consumers want, an engaged customer service force, and a high-quality network.

Over the past several years, federal high-cost support has begun to play a role in our business. We have received ETC status in Wisconsin, Iowa, Washington, Oklahoma and Oregon, and have applications pending in several other states and at the FCC. We have aggressively deployed new capital from the universal service fund to improve our network coverage in rural areas that would likely not otherwise have been developed without support.

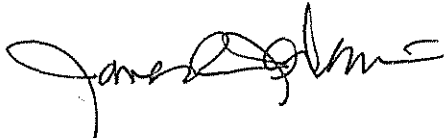
In applying for ETC status, we have assessed the needs of local communities to determine not only the quality of our network, but that of our competitors. The results of these assessments have been both unexpected and exceptional. For example, when we applied for ETC status in Maine, we reached out to local communities. Quite frankly, the responses we received were eye-opening. Over 34 citizens and community leaders expressed willingness to submit

sworn testimony in support of our petition for ETC status, largely because of the increasing health, safety and economic development benefits that wireless service can bring to rural areas. We have enclosed for your reference excerpts of direct testimony submitted in our ETC case in Maine. We have received similar responses from rural consumers in other states where we operate.

We also learned that wireless networks in rural areas are often not robust enough to support the needs of rural consumers and that high-cost support, which was intended to drive infrastructure development in rural areas, must be made available to wireless carriers. We believe this is exactly what Congress intended in the 1996 Act and we believe that companies such as USCC, which focus on local customers as opposed to roamers, should be at the forefront of developing networks that provide consumers with the same kinds of choices that are today available in urban areas.

It is also worth noting here that the President has set forth an ambitious plan to drive broadband into rural areas. Today, mobile broadband is being deployed into our urban centers and we anticipate that both business and individual consumers will prefer this service as connection speeds increase. As a CDMA operator, we intend to deploy these services as consumers demand them, and to remain competitive with national carriers who operate in our markets. It scarcely bears mention that once towers and backhaul facilities are in place, it is much easier to deploy broadband data services. Thus, the use of high-cost support in rural areas to bring new voice services to underserved areas will undoubtedly accelerate the deployment of broadband services as well.

In closing, we at USCC are committed to improving service for our rural consumers and to using high-cost support to make our networks comparable to those in urban areas to the greatest extent possible. Rural consumers contribute to the universal service fund and today they are receiving only a small fraction of the benefits that the program was intended to deliver. We at USCC urge the Commission to ensure that funds are available to companies who are investing in rural areas so that consumers can benefit from our investments.



Enclosure

Cc: Hon. Kathleen Q. Abernathy  
Hon. Michael J. Copps  
Hon. Kevin J. Martin  
Hon. Jonathan S. Adelstein

**STATE OF MAINE PUBLIC UTILITIES COMMISSION  
DOCKET NO. 2004-246**

**US CELLULAR  
RE: APPLICATION FOR DESIGNATION AS AN  
ELIGIBLE TELECOMMUNICATIONS CARRIER  
UNDER 47 U.S.C § 214(e)(2)**

**EXCERPTS OF DIRECT TESTIMONY:**

**DIRECT TESTIMONY OF ANDY JACQUES**

Q3. Are you familiar with the quality of cellular service in the Bingham area?

A3. Yes. There is no service whatsoever in the town of Bingham. Operating a business on Main Street downtown, I hear complaints every day from customers, salespeople, delivery people, police, firefighters and EMTs about the lack of cellular service in Bingham. Approximately five people come into my business each day needing to borrow my phone because they can't get any service. Particularly, UPS and Federal Express are unable to use their delivery tracking system because they don't have cell service.

Q4. How will the proposed improvements affect you and your community?

A4. The ability to access cell service would be of tremendous benefit to the entire community of Bingham. Right now I am particularly concerned about the inability of safety personnel, such as EMTs, firefighters and police to communicate effectively without cellular service. I am a firefighter and just the other day I was tuned in to the radio and an ambulance was headed into an area where there was no radio coverage and so they were without the ability to communicate at all. Cellular service would take care of that problem and also provide for the benefit of confidential communication between safety personnel, something that is not available on the radio. There are also a lot of vacationers who are out on the trails in potentially dangerous situations. The safety of our community and the people who visit here would be so much

improved with cellular service.

In addition, access to cellular service would benefit my business and other businesses in Bingham. Salespeople and customers who visit my business would have access to their cell phones, thus making Bingham a better place to do business. I have not subscribed to a cellular plan because of the lack of service, but if there were service, I would be able to use a cell phone in the course of my daily business.

**DIRECT TESTIMONY OF CHIEF DEPUTY SHERIFF SIDNEY HUGHES**

Q3. Are you familiar with the quality of cellular service in the Jonesport area?

A3. Yes, it is spotty at best. In fact, there are only a couple of places you can get service in Jonesport. Our patrol cars are equipped with cellular phones for use throughout the County. We need to be able to communicate between the Sheriff's Office in Machias and the other towns that we serve, including Jonesport. Because of the lack of a cellular tower in Jonesport, we have problems with cellular service in and around the Jonesport area. Officers traveling through Jonesport know they have to wait until they leave the Jonesport area before they can communicate through cell phones. The officers do have two-way radios in their cars, but radio transmission signals also have dead spots in some areas (though they are not as bad as the dead spots for cellular service).

Q4. How would the availability of cellular service affect your work and your community?

A4. When somebody needs our assistance, a call comes into the main office in Machias. The call is then dispatched through a radio system to an officer, who usually responds by going to the residence from which the call comes. Some situations to which our deputies must respond can be dangerous. For example, we often receive complaints of domestic violence.

With reliable cellular service, officers could maintain contact with the complainant, as the officers could call the complainant back immediately upon receiving the dispatch. Officers could ask the complainant important questions (and get immediate answers) to such inquiries as “is the perpetrator still in the house?” or “does he have a gun?” If the perpetrator does have a gun, this is something the officer would want to know before coming through the door, and if the officer had a working cellular phone handy, he could quickly call for back up before entering the premises. Again, radio systems can be used, but that type of communication can be picked up on police scanners, which many people up here listen to regularly. If officers were able to make these inquiries from a car cellular phone, sensitive information would not need to be broadcast over the radio system for anyone with these scanners to hear. Also, the use of cellular phones in these situations would be more efficient and more accurate than radio dispatch because you would be cutting out the middle man. This would save the responding officer a step, and would also free the dispatch officer up to take care of other things, like calling an ambulance or other emergency personnel if needed.

Additionally, reliable cellular phone use would save our deputies valuable time in their day-to-day routine. For instance, officers often need to call the main office from their cars for routine communications, such as warrant checks. Again, radio broadcasts are not the most private or efficient way to share such information. Also, we get “911 hang up” calls from time to time where a person calls 911 but hangs up before we can talk to him or her. With working cell phones readily available, officers, using Caller ID, could call the number from which the 911 hang up call came. The officers could then speak directly to the person at that number to determine if assistance is really needed. If the call was made in error, it would be nice to know

that ahead of time, so that the officer would not have to go all the way to the residence just to find out if somebody there actually needs help or not.

For all of these safety and convenience reasons, I feel that cellular service needs to be expanded into Jonesport and other rural parts of Maine.

By the way, my wife and I live in Lubec and commute to our jobs in Machias. My wife works nights and drives home alone. In the 26 miles between Lubec and Machias there are numerous dead spots where the cell phone doesn't work. Getting cell service into this area would be a big convenience and would also enhance public safety. I hope U.S.Cellular would consider using some of this funding to improve service in that part of Washington County as well.

#### **DIRECT TESTIMONY OF JEANETTE JACQUES**

Q4. How has the lack of cellular service in Bingham impacted your work as an EMT?

A4. The lack of cellular service is a real hazard for the ambulance service. Not having cell service really impacts our ability to provide good care and at times it is life threatening to our patients and to us as EMTs

Q5. Can you explain?

A5. Yes. Without cellular service we are unable to communicate with various people. We can't call for backup if a patient is more seriously injured than we had thought. In order to dispense certain medications we need to get approval first from an emergency room doctor. We can't reach the hospital to do this when we have no cellular service. Just a year or so ago I was called to the scene of an accident. A log truck had tipped over. Usually when this happens, the driver is not badly hurt, so I went with only an unlicensed driver and was the only EMT on the scene. When we got there we saw that the truck had tipped over onto a car and the driver of the

car was very severely injured. She was a patient that should have been taken out by LifeFlight, the critical response medical helicopter service, but our cell phone wouldn't work so we couldn't call them. This patient was truly jeopardized because of the lack of cell service. I couldn't even call for backup. I ended up having to crawl back and forth under the truck to get supplies as I didn't even have someone to fetch things for me. Eventually we transported the patient to Skowhegan Hospital which is 25 miles away. From there she was later moved to Eastern Maine Medical Center in Bangor where she would have been taken by LifeFlight had we been able to make a call. All this wasted precious time.

**DIRECT TESTIMONY OF SHERIFF BARRY DELONG**

Q4. Have you and your officers faced any problems because of the lack of cellular service in the area?

A4. We experience problems every day because of the lack of cellular service. On our best day we have three officers covering an area that spans 3,000 square miles. Our county is unique in that fully 40% of the population lives outside of towns in very rural areas. Because of the lack of cell service we waste valuable time traveling 50 or 100 miles when a single phone call might solve the problem. The Route 201 corridor is heavily traveled and there are frequent accidents. All of my officers travel alone and they really need to be able to communicate with dispatch, with complainants, with other law enforcement personnel and with health and safety personnel. Just last week, there was a fatal car accident on 201. Three young boys were killed and we couldn't put their names out on the radio because of confidentiality reasons. In many locations, we don't even have radio service so the lack of cellular service means we can't reach anyone at all. We are forced to go look for the closest landline. You can imagine what a problem this is when you have a single officer on the scene. When we are called to a domestic

situation, there are many times when the phone is torn right out of the wall or the people don't even have a phone. This means the officer has no way whatsoever of even calling for an ambulance or for backup.

Q5. How would the availability of cellular service affect your work and your community?

A5. Having cell service would really help us out up here. As I said, my officers all travel alone. If they are called to a domestic situation it could be lifesaving if they could contact the complainant to find out how serious the situation is – does the guy have a gun, or a knife? If my officers could get this information they would know whether they should call for back up. There are also many seasonal people who have camps in this area. If they are elderly and have a heart attack or something, the cell service could literally be a lifeline. In the winter it often gets down to 20 or 30 degrees below zero around here and your chances of hitting a moose or a deer are pretty good. If someone's car breaks down or they have an accident in that kind of weather, they might not see another car for two hours. In these kinds of situations, cellular service can save lives very easily. Furthermore, this area is becoming very popular tourist destination for white water rafting and snowmobiling. We need to be able to respond well to emergencies arising out of those activities. I also have some major concerns related to homeland security.